

**Matlock Law Group**

A Professional Corporation

Anne-Leith W. Matlock, SBN 244351, Application Pending in Northern District of CA

Guy D. Chism, SBN 244284, Admitted in the Northern District of California

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Attorneys for Movant

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION**

AT&T Corp.

PLAINTIFF,

v.

Dataway, Inc.

DEFENDANT.

**CASE NO. C07-02440 SC**

**DECLARATION IN SUPPORT OF  
MOTION TO SET ASIDE ENTRY OF  
DEFAULT**

**Date: Friday, October 12, 2007**

**Time: 9 a.m.**

**Courtroom: No. 7**

**Judge: Honorable Judge Maxine M. Chesney**

We, ANNE-LEITH W. MATLOCK and GUY D. CHISM, declare:

1           1. I, GUY D. CHISM, am an attorney at law licensed to practice before the  
2 courts of the State of California and am admitted before the Northern District of  
3 California, and am a contract attorney for the law firm Matlock Law Group, attorneys  
4 of record for Defendant, Dataway, Inc.

5           2. I, ANNE-LEITH W. MATLOCK, am an attorney at law licensed  
6 to practice before the courts of the State of California, admitted in the Eastern District  
7 of California, and have a pending application for admittance to the Northern District  
8 of California, and a Principle of the law firm Matlock Law Group, attorneys of record  
9 for Defendant, Dataway, Inc.

10           3. Attached as Exhibit A is a true and correct copy of Movant's  
11 Verification and Declaration.

12           4. Attached as Exhibit B is a true and correct copy of the Letter of  
13 Agency.

14           5. Attached as Exhibit C is a true and correct copy of the Carrier  
15 Slamming Protection Form for Large Business Customers.

16           6. On August 8, 2007 Francisco Molieri, Dataway, Inc.'s  
17 Comptroller, of Dataway, Inc., on the instruction of Simon Lewis, sought legal advice  
18 of Matlock Law Group giving a description of the incidents. After we agreed to  
19 represent the case on August 9, 2007 we learned from the Court Docket on August  
20 10, 2007 that the case had been reassigned to Honorable Judge Maxine M. Chesney  
21 for all further proceedings. Further, we learned from the court docket that the proof  
22 of service of process had been changed as well as filed on August 6, 2007 and entry  
23 of default had been entered by the clerk on August 6, 2007.

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